IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO : 13390 of 2005

Between:

Digamber Dev, S/o. Venkates Dev,
age 63Yrs., Occ: Retired Teacher and Agriculture, R/o. Kumbhi Village, Bhainsa Mandal, Adilabad District.

..... PETITIONER

AND

1 District Collector, Adilabad, Adilabad District.
2 Land Acquisition Officer and Revenue Divisonal Officer, at Nirmal,

Adilabad District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction, declaring the action of the respondents in not paying compensation amount of Rs. 4,06,000/- in respect of the land acquired Viz., land admeasuring 7 acres situate in S.No. 58 of Kumbhi Village, Bhainsa Mandal, Adilabad District pursuant to the Award No. A/2163/2000 dt. 5-3-2005 on the file of the 2nd respondent as being illegal, arbitrary and violative of Article 14 of the constitution of India and consequently direct the respondents to forthwith pay the compensation amount of Rs. 4,06,000/- to the petitioner in respect of the said land.

Counsel for the Petitioner: MR.K.RAGHUVEER REDDY

Counsel for the Respondents: GP FOR LAND ACQUISITION

The Court made the following :

O R D E R:

The petitioner seeks a Mandamus declaring the action of the respondents in not paying the compensation amount of Rs.4,06,000/- in respect of the land to an extent of Ac.7-00 situated in Sy.No.58 of Kumbhi village, Bhainsa Mandal, Adilabad District pursuant to the award, dated 05.03.2005, passed by the second respondent as illegal, arbitrary, and consequently to direct the respondents to pay the compensation amount of Rs.4,06,000/- to the petitioner in respect of the said land, forthwith.

The only grievance of the petitioner is that the respondents have failed to pay the compensation, as awarded, to him.

The case of the respondents is that though they have prepared a D.D. bearing No.073334, dated 01-03-2005, for the compensation payable to the petitioner, he has not came forward to receive the same.

To day, when the matter has come up for admission, as directed by this Court, the petitioner and his counsel, who appeared before the Land Acquisition Officer, are present and they are identified by the

learned counsel for the petitioner herein. In the circumstances, the learned Government Pleader has handed over the D.D. bearing No.073334, dated 01-03-2005, for an amount of Rs.4,06,000/-, as awarded by the Land Acquisition Officer/second respondent, to the petitioner.

The writ petition is accordingly disposed of. No costs.

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(ELIPE DHARMA RAO)

Date: 15-07-2005

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To

1 The District Collector, Adilabad, Adilabad District.
2 The Land Acquisition Officer and Revenue Divisonal Officer, at Nirmal,

Adilabad District.

3 Two CCs to the Government Pleader for Land Acquisition, High Court Buildings, Hyderabad.(O.U.T.)

4 Two CD copies.